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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,044	09/28/2001	Douglas T. Grider	TI-31118	4815

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EXAMINER

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ART UNIT	PAPER NUMBER
2826	

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Please find below and/or attached an Office communication concerning this application or proceeding.



**Restriction/Election**

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 11-13, drawn to a device, classified in class 257, subclass 349.
- II. Claims 1-10, drawn to a process of making a device, classified in class 438, subclass 149.

The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the annealing temperature could have been decreased at the expense of elongated processing time. To the alternative, the oxynitride film could have been used for interlayer insulation rather than for the claimed gate insulation.

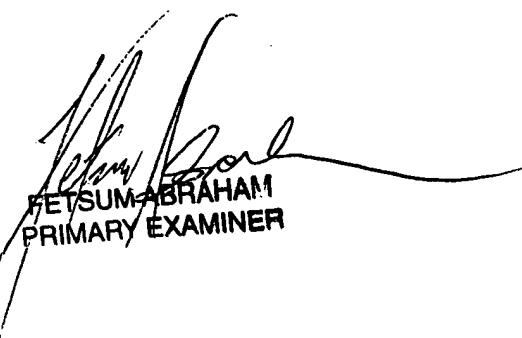
Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication should be directed to Fetsum Abraham at telephone number (703) 305,3793, or by E-mail at [fetsum.abraham@uspto.gov](mailto:fetsum.abraham@uspto.gov). Any inquiry of a general nature or relating to the status of this application should be directed to the *SPE of AU:2826* at (703)308-6601, or the *Group receptionist* at (703) 308-0956.

Fetsum Abraham

8/27/02

  
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